UNITED STATES PATENT AND TRADEMARK OFFICE

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10/710,376	07/06/2004	Aki Tsuji	9993-1	8403

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EXAMINER
ALHIJA, SAIF A

ART UNIT	PAPER NUMBER
2128	

NOTIFICATION DATE	DELIVERY MODE
08/14/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip@akerman.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 May 2009_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-15_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-15_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _20 August 2007_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-15 have been presented for examination.

Claims 9-15 are newly presented.

PRIORITY

2.   Applicant's claim for the benefit of a prior-filed application, 09/606,868 filed 29 June 2000, under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

Response to Arguments

3.   Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

PRIOR ART ARGUMENTS

i)   An additional reference has been provided in view of the newly presented 103 rejections below, following Applicants amendments to the claims.

EXAMINERS NOTE

ii)   Examiner has cited particular columns and line numbers in the references applied to the claims for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

iii)   The Examiner respectfully requests, in the event the Applicants choose to amend or add new claims, that such claims and their limitations be directly mapped to the specification, which provides support for the subject matter. This will assist in expediting compact prosecution.

iv)   Further, the Examiner respectfully encourages Applicants to direct the specificity of their response with regards to this office action to the broadest reasonable interpretation of the claims as presented. This will avoid issues that would delay prosecution such as limitations not explicitly presented in the claims, intended use statements that carry no patentable weight, mere allegations of patentability, and novelty that is not clearly expressed.

v)   The Examiner also respectfully requests Applicants, in the event they choose to amend, to supply

a clean version of the presented claims in addition to the marked-up copy in order to avoid potential inaccuracies

with the version of the claims that would be examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set

forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
art are such that the subject matter as a whole would have been obvious at the time the invention was made
to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are

applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as

follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or
         nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35
U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time
any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the
obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly
owned at the time a later invention was made in order for the examiner to consider the applicability of 35
U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4.   **Claim(s) 1-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Saha et al. "Web-Based**

Distributed VLSI Design", hereafter Saha in view of **Kask et al., U.S. Patent No. 6542937, hereafter Kask.**

5.   **Claim(s) 1-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Geppert et al. "IC Design**
on the World Wide Web", hereafter Geppert in view of **Kask et al., U.S. Patent No. 6542937, hereafter Kask**

Regarding Claim 1:

The reference discloses A CAD part library generator system utilizing a network and comprises:

a server computer that is connected to a network and **(Saha. Figure 2) (Geppert. Figure 5, Web)**

at least one client computer that performs data transmission with said server computer via said network; **(Saha. Figure 2) (Geppert. Figure 5, Web)**

said server computer sends basic data, which are combinations of plurality of variable programs for drawing different part graphics and numerical data that are substituted into the variables of said variable programs, for CAD part graphic data from said server computer to said client computer according to a request from said client computer; **(Saha. Figure 2, PowerZone) (Geppert. Figure 5, Web)**

wherein said server computer comprises:

a storage means that stores basic data for said CAD part graphic data; and **(Saha. Section 4.4, graph plotting utility) (Geppert. Figure 4, Internal Power)**

a program data transmitting section that reads said basic data for CAD part graphic data from said storage means according to a request from said client computer, and sends that data to said client computer; said-client computer comprises: **(Saha. Figure 2, PowerZone) (Geppert. Figure 4, Web Page)**

a program data receiving section that receives said basic data for CAD part graphic data: **(Saha. Section 4.4, graph plotting utility) (Geppert. Figure 4, Web Page)**

a computing section that creates CAD part graphic data based on said basic data **(Saha. Section 4.4, graph plotting utility) (Geppert. Figure 5, Parametric Search)**

and a CAD part graphic data producing section that creates display data for the graphic display unit in said client computer based on the CAD part, graphic data created by said computing section; **(Saha. Section 4, Web-Based CAD) (Geppert. Page 47, Top Left, WELD)**

said storage means of said server computer comprises a variable program storage section that stores said plurality of variable programs, and a numerical data storage section that stores a plurality of kinds of said numerical data according to a request from said client computer, then sends that the specified variable and numerical data to said Client computer; **(Saha. Section 5, WebTop, storage) (Geppert. Page 47, Top Left, WELD)**

and said computing section of said client computer substitutes said numerical values of specified numerical data into the variables of said specified variable program, then executes that program and creates CAD part graphic data. **(Saha. Section 5, WebTop, storage) (Geppert. Figure 2)**

Saha does not explicitly disclose wherein the client computer receives input of one or more additional numerical values and substitutes the additional numerical values into the variables of said specified variable program, wherein the client computer executes the program to create a modified CAD part graphic data, wherein the client computer displays the modified CAD part graphic data which is representative of a CAD generated part, and wherein the additional numerical values are associated with a dimension of the CAD generated part whereby a change to the additional numerical values results in a change to the dimension of the CAD generated part.

Geppert also does not explicitly disclose wherein the client computer receives input of one or more additional numerical values and substitutes the additional numerical values into the variables of said specified variable program, wherein the client computer executes the program to create a modified CAD part graphic data, wherein the client computer displays the modified CAD part graphic data which is representative of a CAD generated part, and wherein the additional numerical values are associated with a dimension of the CAD generated part whereby a change to the additional numerical values results in a change to the dimension of the CAD generated part.

However Kask discloses wherein the client computer receives input of one or more additional numerical values and substitutes the additional numerical values into the variables of said specified variable program, wherein the client computer executes the program to create a modified CAD part graphic data, wherein the client computer displays the modified CAD part graphic data which is representative of a CAD generated part, and wherein the additional numerical values are associated with a dimension of the CAD generated part whereby a change to the additional numerical values results in a change to the dimension of the CAD generated part. **(Kask. Column 22, Lines 36-50, editing tools. Column 14, Lines 55-65, client/server)**

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the editing of a part dimension in **Kask** with the CAD environment of either **Saha** or **Geppert** in order to allow for easy modification of CAD parts as well as the normal usage of a CAD environment in which objects can be customizable in terms of their size and location in order to accommodate the required design.

Regarding Claim 2:

The reference discloses A CAD part library generator system utilizing a network and comprises:

a server computer that is connected to a network; and **(Saha. Figure 2) (Geppert. Figure 5, Web)**

at least one client computer that performs data transmission with said server computer via said network;

(Saha. Figure 2) (Geppert. Figure 5, Web)

said server computer sends basic data for CAD part graphic data from said server computer to said client

computer according to a request from said client computer; **(Saha. Figure 2, PowerZone) (Geppert. Figure 5,**

Web)

wherein said server computer comprises:

a storage means that stores basic data for CAD part graphic data; and **(Saha. Section 4.4, graph**

plotting utility) (Geppert. Figure 4, Internal Power)

a program data transmitting section that reads said basic data for CAD part graphic data from said

storage means according to a request from said client computer, and sends that data to said client computer,

said client computer comprises: **(Saha. Figure 2, PowerZone) (Geppert. Figure 4, Web Page)**

a program data receiving section that receives said basic data for CAD part graphic data; **(Saha.**

Section 4.4, graph plotting utility) (Geppert. Figure 4, Web Page)

a computing section that creates graphic data based on said basic data for CAD part graphic data;

and **(Saha. Section 4.4, graph plotting utility) (Geppert. Figure 4, Web Page)**

a CAD graphic data producing section that creates display data for the graphic display unit in said

client computer based on the CAD part graphic data created by said computing section;

said basic data for CAD part graphic data comprises a plurality of variable programs for drawing different

graphics and numerical data that is substituted into the variables of said variable programs; **(Saha. Section**

4, Web-Based CAD) (Geppert. Page 47, Top Left, WELD)

said storage means of said server computer comprises a variable program storage section that stores said

plurality of variable programs, and a numerical data storage section that stores a plurality of kinds of said

numerical data;

said program data transmitting section reads a specified variable program from said variable program

storage section, and reads specified numerical data from said numerical, data storage section according to a

request from said client computer, then sends that data to said client computer; **(Saha, Section 3.1,**

HTTP/CGI, Java and Corba and Geppert, Page 46, JavaCadd. The JavaCadd program and the

programming languages discussed in Saha represent the interpreter type languages and further are

used in performing the CAD aspects of the references, specifically the graphical/parametric data)

said variable program is created using non-compiler interpreter-type programming language; and **(Saha,**

Section 3.1, HTTP/CGI, Java and Corba and Geppert, Page 46, JavaCadd. The JavaCadd program

and the programming languages discussed in Saha represent the interpreter type languages and

further are used in performing the CAD aspects of the references, specifically the

graphical/parametric data)

said computing section of said client computer comprises an interpreting function of said non compiler

interpreter-type programming language, and substitutes said specified numerical data into the variables of

said specified variable program, then executes that variable program while interpreting it by the interpreting

function of said computing section, and creates CAD part graphic data. **(Saha. Section 5, WebTop,**

storage) (Geppert. Figure 2)

  Saha does not explicitly disclose wherein the client computer receives input of one or more

additional numerical values and substitutes the additional numerical values into the variables of said

specified variable program, wherein the client computer executes the program to create a modified CAD

part graphic data, wherein the client computer displays the modified CAD part graphic data which is

representative of a CAD generated part, and wherein the additional numerical values are associated with a

dimension of the CAD generated part whereby a change to the additional numerical values results in a

change to the dimension of the CAD generated part.

  Geppert also does not explicitly disclose wherein the client computer receives input of one or

more additional numerical values and substitutes the additional numerical values into the variables of said

specified variable program, wherein the client computer executes the program to create a modified CAD

part graphic data, wherein the client computer displays the modified CAD part graphic data which is

representative of a CAD generated part, and wherein the additional numerical values are associated with a dimension of the CAD generated part whereby a change to the additional numerical values results in a change to the dimension of the CAD generated part.

However Kask discloses wherein the client computer receives input of one or more additional numerical values and substitutes the additional numerical values into the variables of said specified variable program, wherein the client computer executes the program to create a modified CAD part graphic data, wherein the client computer displays the modified CAD part graphic data which is representative of a CAD generated part, and wherein the additional numerical values are associated with a dimension of the CAD generated part whereby a change to the additional numerical values results in a change to the dimension of the CAD generated part. **(Kask. Column 22, Lines 36-50, editing tools. Column 14, Lines 55-65, client/server)**

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the editing of a part dimension in **Kask** with the CAD environment of either **Saha** or **Geppert** in order to allow for easy modification of CAD parts as well as the normal usage of a CAD environment in which objects can be customizable in terms of their size and location in order to accommodate the required design.

Regarding Claim 3:

The reference discloses The CAD part library generator system utilizing a network according to claims 1 or 2 wherein said client computer further comprises:

a graphic name list display control section for displaying a list of received graphic names of the basic data for CAD part graphic data provided from said server computer on the display unit; and

a selected graphic name transmitting section that sends the names of graphics selected from said list of graphic names to said server computer,

said program data transmitting section in said server computer reads said specified variable program and specified numerical data based on the graphic names that were sent from said selected graphic name transmitting section.

(See rejection for claim 1 as well as Saha, Section 4.1, last paragraph and Section 4.3, Java and Web Tools and Geppert Figure 5, Part Numbers)

Regarding Claim 4:

The reference discloses The CAD part library generator system utilizing a network according to claims 1 or 2 wherein said server computer further comprises:

a parts data list storage section that groups and stores part code numbers for each part and said numerical data corresponding to the code numbers;

said program data transmitting section transmits the part data list containing the code numbers and the numerical data to said client computer according to a request of said client computer;

said client computer further comprises:

a code number list display control section that creates a parts code number list from said sent parts data list transmitted, and displays the list on said graphics display unit; and

said computing section substitutes numerical data for the parts that correspond to the names of the part code numbers selected from said displayed parts code number list into the variables of the variable program that corresponds to the names of said graphics and creates CAD part graphic data.

(See rejection for claim 1 as well as Saha, Figure 3 and Section 5, HSpice which is a circuit design/simulator containing part/model numbers and Geppert Figure 5, Part Numbers)

Regarding Claim 5:

The reference discloses The CAD part library generator system utilizing according to claim 4 wherein when part or all of the numerical data selected by the user in said client computer corresponds to the part code numbers selected from said part code number list in said client computer said computing section of said client computer substitutes said numerical, data that was read from said parts data list storage section and said input data into the variables in said corresponding variable program and creates CAD part, graphic data. **(Saha. Section 4.4, graph plotting utility and Geppert Figure 5, Part Numbers)**

Regarding Claim 6:

The reference discloses The CAD part library generator system utilizing a network according to claims 1 or 2 wherein said client computer further comprises:

a data format name selection function that is capable of selecting a data format name for the CAD software; and

said CAD part graphic data producing section converts the format of the CAD part graphic data created by said computing section, creates CAD part graphic data that suits the selected data format, assigns a file name and stores the data in the memory unit.

(Saha. Section 4.4, graph plotting utility Geppert Figure 4 and Geppert, Page 46, JavaCadd)

Regarding Claim 7:

The reference discloses The CAD part library generator system utilizing a network according to claims 1 or 2 wherein said client computer further comprises:

an interface name selection function that is capable of selecting a name for the data- exchange interface provided by the CAD software; and

said CAD part graphic data producing section converts the format of the CAD part graphic data created by said computing section to create CAD part graphic data, and registers said CAD part graphic data directly in said CAD software by way of said data-exchange interface. **(Saha. Section 4, Web-Based CAD and Geppert, Page 46, JavaCadd)**

Regarding Claim 8:

The reference discloses The CAD part library generator system utilizing network according to claims 1 or 2, comprising a parts database management program for managing parts data in said program data transmitting section of said server computer. **(Saha. Section 5, HSpice which is a circuit design/simulator and Geppert Figure 5, Part Numbers)**

Regarding Claim 9:

The reference discloses A method of designing parts, the method comprising:

displaying a parts list at a client computer; receiving at the client computer a selection of a first part from

the parts list; transmitting over a network a request for the first part from the client computer to a server computer;

receiving at the client computer basic data associated with the first part that is sent from the server computer, the

basic data being received in response to the request for the first part, the basic data comprising one or more variable

programs and numerical data, the variable programs being for drawing different part graphics, the numerical data

being substitutable into variables of the variable programs, wherein the variable programs and the numerical data are

separately stored and maintained by the server computer; substituting the numerical data into the variables of the

variable programs and executing the variable programs to generate first graphic data, the substitution and execution

being performed by the client computer; displaying the first part at the client computer based on the generated first

graphic data; presenting a plurality of dimensions that define the first part; receiving an input for each of

the.plurality of dimensions; substituting the input into the variables of the variable programs and executing the

variable programs to generate second graphic data, the substitution and execution being performed by the client

computer without compiling of the variable programs; and displaying a second part at the client computer based on

the generated second graphic data, wherein the first and second parts have different shape. **(See rejection for claim**

2 as well as Saha, Figure 3 and Section 5, HSpice which is a circuit design/simulator containing part/model

numbers and Geppert Figure 5, Part Numbers)

Regarding Claim 10:

The reference discloses The method of claim 9, wherein the one or more variable programs are a plurality

of variable programs that are each associated with a different surface of the first part. **(Kask. Abstract, part faces)**

Regarding Claim 11:

The reference discloses The method of claim 9, wherein the first and second parts are single components.

(Geppert. Figure 5, Part Numbers) (Kask. Figure 9A)

Regarding Claim 12:

The reference discloses The method of claim 9, further comprising presenting a selection of numerical values for each of the inputs. **(Geppert. Figure 5, Part Numbers) (Kask. Figure 9A)**

Regarding Claim 13:

The reference discloses The system of claim 1, wherein the plurality of variable programs are each associated with a different surface of the CAD generated part. **(Kask. Abstract, part faces)**

Regarding Claim 14:

The reference discloses The system of claim 2, wherein the plurality of variable programs are each associated with a different surface of the CAD generated part. **(Kask. Abstract, part faces)**

Regarding Claim 15:

The reference discloses The system of claim 1, wherein the CAD generated part is a single component. . **(Geppert. Figure 5, Part Numbers) (Kask. Figure 9A)**

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7.   All Claims are rejected.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be

directed to SAIF A. ALHIJA whose telephone number is (571)272-8635. The examiner can normally be reached on

M-F, 11:00-7:30.

         If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah

can be reached on (571) 272-2279. The fax phone number for the organization where this application or proceeding

is assigned is (571) 273-8300. *Informal or draft communication, please label PROPOSED or DRAFT,* can be

additionally sent to the Examiners fax phone number, (571) 273-8635.

         Information regarding the status of an application may be obtained from the Patent Application Information

Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR

or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

                                      /Kamini S Shah/
                            Supervisory Patent Examiner, Art Unit 2128

SAA

August 11, 2009